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U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ELSA EMILIA VALDEZ DE CHAVEZ;
et al.,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-76891

Agency Nos. A75-306-653
A75-306-654

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted April 10, 2006^{**}

Before: KOZINSKI, RYMER and PAEZ, Circuit Judges.

We have reviewed the response to the court's December 22, 2005, order to show cause, and we conclude that petitioner Elsa Emilia Valdez de Chavez has failed to raise a colorable constitutional claim to invoke our jurisdiction over this

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

petition for review. *See Torres-Aguilar v. INS*, 246 F.3d 1267, 1271 (9th Cir. 2001). Because the immigration judge issued the removal order in the first instance, we also conclude that *Molina Camacho v. Ashcroft*, 393 F.3d 937 (9th Cir. 2004), does not apply. Accordingly, we *sua sponte* dismiss this petition for review for lack of jurisdiction with respect to petitioner Valdez de Chavez. *See* 8 U.S.C. § 1252(a)(2)(B)(i); *Romero-Torres v. Ashcroft*, 327 F.3d 887, 892 (9th Cir. 2003); *Montero-Martinez v. Ashcroft*, 277 F.3d 1137, 1144 (9th Cir. 2002).

Petitioner Luz Maria Chavez Valdez does not have a qualifying relative for purposes of cancellation of removal. Accordingly, the court summarily denies this petition for review with respect to this petitioner. *See* 8 U.S.C. § 1229b(b)(1)(D); *Molina-Estrada v. INS*, 293 F.3d 1089 (9th Cir. 2002).

DISMISSED IN PART, DENIED IN PART.